



APPROVED

## KITTERY PORT AUTHORITY

February 5, 2015 Meeting Minutes

Council Chambers, Town Hall

Members Present: Kelly Philbrook, Steve Lawrence, Ray Grenier, Ann Grinnell

Members Absent: none

Staff: Harbormaster Derek Jacobs

Meeting began at 6:02 p.m.

### 1. Pledge of Allegiance

Ms. Philbrook noted her and the Authority's appreciation for his time and contribution to the Port Authority by Tom Smith, and that he will be greatly missed.

### 2. Minutes: January 7, 2015

Ms. Grinnell moved to approve as submitted

Mr. Lawrence seconded

Motion carried: 4-0-0

### 3. Public Segment

– Dave Kaselauskas:

1. Requests the KPA consider the use of a ramp for fishermen in the spring and fall.
2. Replace the existing hoist with a high-speed hoist.
3. KPA should consider developing breakwater at Fishing Island.

### 4. Wave Attenuation Presentation - Jon Edgerton, Wright-Pierce

Mr. Edgerton: The assessment has been in process for approximately 10 months. Approximately 80% of the study was funded by NOAA through the Maine Coastal Program. The purpose of the wave attenuation assessment was to determine the feasibility of enhancing wave attenuation for the protection of Pepperrell Cove. The assessment was coordinated with state and federal agencies to study areas for improvement and benefits, habitat impact, and alternative applications. The findings of the study indicate the project is not recommended for the following reasons: limited benefit under many storm scenarios, concern from regulators due to impacts to potential eelgrass habitat, and risk of changed sediment deposition patterns.

### 5. BIG-Utilities and Grant Reports - Peter Walsh

Mr. Walsh reviewed completed grant projects through January 2015 (attached), noting significant savings was realized due to support of the Kittery Department of Public Works. Pending grant applications part of CIP funding also qualify for SHIP grant funding. Approval for an additional holding tank at Pepperrell Cove is on hold.

### 6. Harbormaster Report: Derek Jacobs

1. Looking into the commercial use of Pepperrell Pier in spring and fall to set and land gear.

2. Mooring renewals going well; some have been double booked (where guest moorings have been issued to another person) and this needs to be resolved;
3. Gathering quotes for various projects including railing and lighting at Pepperrell Pier, paving and hoist quotes;
4. Riverside Pickering is using Traip facilities to finish project in the Back Channel, and should be finishing shortly.

Discussion followed regarding assignment of guest moorings. Ms. Philbrook noted temporary moorings were not supposed to continue, and requested the Board reconsider how guest moorings will be handled and errors resolved. A guest mooring never entitled an individual to a permanent mooring.

7. Public Hearing: Fishing Policy - Rules & Regulations

Milton Hall: By definition, Government Street is a Wharf, not a Pier.

Jim Forbes: The Harbormaster should be aware the pier will be crowded during fishing season.

Ms. Grinnell moved to approve the change to the Fishing Policy, dated January 7, 2015 as submitted.

Mr. Grenier seconded

Ms. Grinnell amended the motion to change Government Street 'Pier' to 'Wharf'

Mr. Lawrence seconded

Motion carried, roll call: 4-0-0

Original Motion carried: 4-0-0

8. Rules & Regulations:

- Isles of Shoals - Discuss January 29 workshop.

Following discussion of the workshop,

Ms. Grinnell moved the Kittery Port Authority suspend issuing new moorings in the harbors controlled by the Town of Kittery until 12/31/2015, or until the Port Authority rescinds this policy by an affirmative vote by four or more members.

Mr. Grenier seconded

Ms. Grinnell: This is only suspending the issuance of new moorings by the Harbormaster to the end of the calendar year. This will allow time for the Harbormaster to research the mooring issues and, if he can complete the study before the end of the year, the Authority can vote again.

Motion carried: 4-0-0

- Rules & Regulations Workshops:

Wednesday February 11 at 6:00 p.m. and Monday, February 23 at 6:00 p.m.

- Hoist Usage Fee - Discuss

Mr. Lawrence: Following research and discussions with Portsmouth Harbor personnel (Gino Marconi), he suggested that a pier usage fee rather than a hoist usage fee should be considered. The following fees were suggested:

Commercial Resident Mooring Holder - \$100/year

Recreational - \$25/year

Non-Resident: \$400/year

Industrial/Commercial: \$500/day

Day Pass (non-commercial): \$50/day

Fees will bring Kittery in line with other ports up and down the coast, and income is received whether a hoist is used or not.

Harbormaster Jacobs noted this pier usage fee would be more enforceable than the existing Harbor Water Usage fee. Ms. Philbrook noted this idea places additional fees on fishermen and mooring holders. Hoist usage fees are more specific to the actual use of the equipment, and the money collected would be kept separately for maintenance and replacement, but does support a commercial pier usage fee. For additional fees, there are not additional services provided. Board members agreed that income received by KPA fees need to be put aside for maintenance of facilities so that repairs and replacements can be taken care of immediately.

Following discussion, it was agreed that this issue will be further discussed at the scheduled workshops.

Dave Kaselauskas: What about education?

Ms. Philbrook: This will be discussed in the future, and he will be notified.

9. FY 2015-2016 Budget Report

Ms. Philbrook: The limited budget increase allowed resulted in difficult cuts, including security cameras, boat equipment funds, internet wi-fi.

10. Board Business

A. Action - List: Added Rules and Regulations workshops; ramp for trap loading and unloading; wake education.

- Discussed parking at Traip. Unclear if the area can be expanded as it is in the Shoreland Overlay Zone. Harbormaster Jacobs will follow-up with the Town Planner.

- Wake Education: Harbormaster Jacobs will use social media and other cost-free methods to get the word out.

B. Others

11. Adjourn

The February 5, 2015 meeting of the Kittery Port Authority adjourned at 7:32 p.m.

Submitted by Jan Fisk, February 9, 2015.

ATTACHMENT



***Town of Kittery, Maine***  
***Department of Public Works***  
***200 Rogers Road, Kittery, ME 03904***  
***Telephone: (207) 439-0333 Fax: (207) 439-6118***

***Harbor and Shore Projects – Feb 2015***

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**HARBOR: MDOT Pepperrell Cove Improvement (WIN 018144.00) – Engineering /Construction**

- ✦ Project Funding: \$410,850 BIG grant signed Sept. 2010, 78.1% Fed/State and 21.9% Local funds (\$90,000)
- ✦ Status: Completed at cost of \$405,102 in July 2014, Final survey was submitted to ACOE,

**HARBOR: Pepperrell Cove Utilities - Engineering /Construction**

- ✦ Project Funding: \$50,000 Local funds; budget approved by Town Jan 2014.
- ✦ Status: Completed at cost of \$42,000 for equipment rental and materials plus man-hours in June 2014, with trench paving in Oct 2014; DPW delivered the job at significant savings to the Town; RFP bids exceeded \$100,000.

**HARBOR: MDOT Traip Floats - Engineering /Construction**

- ✦ Project Funding: \$31,010 SHIP grant signed Feb. 2014; \$15,505 State, \$15,505 Local funds;
- ✦ Status: Construction completed Nov 2014 on time, DPW assisted with removal of old floats

**SHORE: MCP Pepperrell Cove Wave Attenuation - Study**

- ✦ Project Funding: \$25,000, Coastal Program grant signed Nov 2013; \$20,000 State, \$5,000 Local match in kind services from DPW and Harbormaster;
- ✦ Status: Study completed January 2015, Study recommendation is **not** proceed with the project.

**Grant Applications Pending**

**HARBOR: MDOT Pepperrell Cove - Paving, Lighting and Railing – Engineering /Construction**

- ✦ Proposed Project Funding: \$65,000 SHIP grant, 50% State and 50% Local funds
- ✦ Status: Grant application, design concept and permit assessment underway; Application submittal is pending Town CIP approval

**HARBOR: MDEP Pepperrell Cove Pump out – Engineering /Construction**

- ✦ Proposed Project Funding: \$30,000, 90% State and 10% Local funds
- ✦ Status: Application pending, design concept and permit assessment review complete; Application submittal pending approval of permit for new holding tank on the Town wharf.

## State Contacts and Glossary

### **Maine Department of Agriculture, Conservation and Forestry (MDACF)**

#### **Maine Coastal program (MCP)**

Shore and Harbor Planning Grants promote:

- Development of plans for waterfront, harbor and mooring areas;
- Development of plans and designs for harbor improvements, and plans for municipal waterfront facilities.

Mr. Matthew Nixon, Working Waterfront, Technical Assistance

Ms. Melissa Anson, Coastal Planning

17 Elkins Lane, Williams Pavilion, 2<sup>nd</sup> Floor

Augusta, ME 04333

### **Maine Department of Environmental Protection (MDEP)**

#### **Pumpout Grant Program**

Since 1999 DEP has managed the Pumpout Grant Program funded by the US Fish and Wildlife Service with funding from the Clean Vessel Act Grant Program (CVA). Funds for the CVA Program are provided annually from the [Sport Fish Restoration and Boating Trust Fund](#) and are derived from excise taxes on fishing equipment, motorboat and small engine fuels, import duties, and interest on the fund.

Pam Parker, Pump out Program manager

Maine Department of Environmental Protection

17 State House Station

Augusta, Maine 04033

### **Maine Department of Transportation (MDOT)**

#### **Boating Infrastructure Grants (BIG)**

Awards under this program are designed to provide resources to facilities with features for transient boaters including:

- Moorings, Buoys, Day Docks, Navigational Aids, transient slips, safe harbors, floating docks, fixed piers, dinghy docks, restrooms and showers, retaining walls, bulkheads;
- Dockside utilities including pump out stations, recycling and trash receptacles, dockside electric service, water supply, and pay telephones;
- Debris deflections, and; boons, marine fueling stations

#### **Small Harbor Improvement Program (SHIP)**

Awards under this program are designed to provide applicants with funding to make improvements to:

- Commercial and municipal pier and wharf systems; Hoist Systems; Gangways; Stairwells, and;
- Piling replacements, Boat Ramps; among others...

Mr. Aurele Gorneau II, BIG Program Manager

Mr. John E. Rodrigue, SHIP Project Manager I

Multimodal Program

16 State House Station

Augusta, ME 04333-0016